

Court No. - 64

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 13669 of 2023

Applicant :- Tahir Khan And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Kartikey Singh

Counsel for Opposite Party :- G.A.

Hon'ble Siddharth,J.

Heard learned counsel for the applicants and learned A.G.A for the State.

The instant anticipatory bail application has been filed on behalf of the applicants, Tahir Khan and Mulli @ Mursalim, with a prayer to release them on bail in **Case Crime No. 420 of 2023, under Sections- 147, 149, 352, 353, 336, 332, 427, 504, 506 IPC, Police Station- Goverdhan, District- Mathurain.**

Learned counsel for the applicants submits that they have been falsely implicated regarding the alleged offences.

Learned A.G.A has opposed the prayer for anticipatory bail of the applicants. He has submitted that in view of the seriousness of the allegations made against the applicants, they are not entitled to grant of anticipatory bail. The apprehension of the applicants are not founded on any material on record. Only on the basis of imaginary fear anticipatory bail cannot be granted.

After hearing rival contentions, this Court finds that it is not a fit case for granting anticipatory bail.

This application is, accordingly, rejected.

However, on the request of learned counsel for the applicants, it is directed that in case applicants appear and surrender before the court below within 60 days from today and applying for regular bail, their bail application shall be considered as per judgement and order of Apex Court in the case of ***Satendra Kumar Antil Vs. C.B.I. & Another, passed in S.L.P.(Crl.) No. 5191 of 2021, judgement dated 11.7.2022.***

For a period of 60 days, the applicants shall not be arrested in the

aforesaid case, if not already arrested.

However, in case, the applicants do not appear before the court below within the aforesaid period, coercive action shall be taken against them.

It is made clear that the applicants will not be granted any further time by this Court for surrendering before the court below as directed above.

Order Date :- 11.12.2023

Rohit